BOOK OR SESSES OF SELECTION CHEEK SELECTION

PUBLISHERS' ASSOCIATION.

INTENDS NO TRUST OR COMBINE AGAINST AUTHORS,

But Is the Result of the Clamoring of Retail Booksellers Against Catting of Prices-Pian Which May Be Acceptable to Both the Small Dealer and Department Store. The American Publishers' Association was formed on last Wednesday, Charles Scribner being elected President, The news of the formation of the association was printed on the following day, together with many reasons for its being. Nearly every reason given was incorrect and quite at variance with the real purpose of the craanization. The story most widely circulated was sent out from Chicago and was to the effect that the principal book publishers of the United States had decided to band themselves into a trust and that the formation of an association was the first number on their programme. Another story sent out from Chicago or some more windy Western town, had it that the main object of the new organization was to reduce the compensation to be paid to authors in the future.

So far as the promoters of the compensation to be paid to authors in the future.

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So far as the promoters of the compensation to be paid to authors of the publishers and the plans the publishers are concerned, they as a class, are not so dependent upon the publisher at the publishers are not the compensation of the association to form a trust. Any one at all familiar with the business of book publishing knows that it would be about as easy to form a

familiar with the business of book publishing knows that it would be about as easy to form a trust of book publishers, on account of the very nature of the business, as it has been to communicate with the legations in Pekin. Furthermore, the association was not formed for the surpose of buying manuscripts at reduced rates for the purpose of reducing royalties. In fact, the relations of author and publisher were not even considered in the formation of the new association. It was not even suggested that these relations were any part of the business or pern of such an association.

so much for the reasons that didn't lead to the formation of the association and for the plans which it never had any intention f carrying out. Now, as a matter of fact, this association was formed at the request f retail booksellers all over the country and after repeated and earnest pleadings on the part of the retailers that the publishers try to do something to change existing conditions in the trade and work out some scheme by which the retailers could at least make a living. They have been requesting for the past two or three years. More recently they have fairly demanded some assistance from the publishers, representing that, if they didn't get it, many retail book sellers would either have to close out their business or be sold out. It was as a somewhat tardy answer to this cry for help, coming from all parts of the country, that the association was formed.

Therefore, instead of banding together to do the public or do the authors, the publishers have really organized themselves for the purpose of helping the men who make it possible for a publishing house to exist. It was simply a case of helping others and thereby helping themselves. For the benefit of those not familiar with the book trade it may be said that during each succeeding year for the past five or six years and more, the retail bookseller's business has been growing poorer and poorer The inventory at the close of each year has shown that the profit from the sale of books slone was less that the year before. The retillers saw that this thing must stop or they would have to do something else to make a living. And yet they could see no way by which they could change the conditions, be-cause they knew the chief cause and they were

poweriess to remove it.

The alleged chief cause of the decline in the trade of the retail booksellers has been the alleged cause of decline in other particular lines of trade for many years. The booksellers laid all their troubles to the department store, as the shoe dealer and the butcher and the green grocer and the hardware dealer had done before them. They asserted to the publisher that, so long as books were sold in department stores at prices with which the regular bookseller found it utterly impossible to compete, the regular men in the trade could to compete, the regular men in the trade could not do business at a profit. It was to save them from the department stores that the retailers appealed to the publishers. For some time the publishers couldn't see For some time the publishers couldn't see their way clear to assist the retailers. They were compelled to look upon the department stores as booksellers as well as the regular retailers, and, furthermore, the department stores bought many more new books for which there was a nepular demand than most of the regular retailers. The department stores were good customers and the rublishers didn't feel inclined to interfere with their business. The demands and the pleadings and the requests of the retailers kept coming in, however, and finally a few months ago some of the publishers decided that they must do something. Some of them made individual investigation as to the extent to which the business of the regular dealer was impaired by the book shops in the department stores.

regular dealer was impaired by the book shops in the department stores.

Their investigation led them to inquire about the sale of some of the popular novels. They found that the sale of "David Harum." for instance, had reached, at the time the investigation was made, 500,000 copies, of "Richard Carvel," 48,000 copies had been sold. "To Have and to Hold," 200,000; "Janice Meredith," 250,000, and "Red Rock" 84,000 copies. It has not been determined just what percentage of the total sale of the books mentioned must be credited to the department stores, but it is known to be large. The investigators then tried to get at the loss to somebody by the cut rates at which these books were sold in the department stores. They took "Richard Carvel" for their purpose because certain deat which these books were sold in the ment stores. They took "Richard" for their purpose because certain dent stores were advertising this book viely. The book was put out by the ons to be sold at retail for \$1.50. It was that the price in many department stores 14, while at some it was sold as low as 81 the publisher's price at wholesale. The on the regular retail price was, thereficents a copy in some cases and 69 cents its.

notices.

They saw at once that the volume of busiess cone by many retailers who had to comele with these department stores was not such
s to make it possible for them to meet even
le higher of the two cut prices. In the first as to make it possible for them to meet even the higher of the two cut prices. In the first place, many of the retailers could not buy in sufficiently large quantities to enable them to buy the book at the lowest wholesale price. From all the information that could be gathered it seemed to be true that, in the case of many of the retailers, they could not realize a decent profit and cut under \$1.50. As for selling the book at st cents, the price made by the publishers to tobbers and others who bought in large quantities, that was utterly out of the question. It was then for the publishers to determine whether they could afford to help, in some way, the regular retailers at the expense. some way, the regular retailers at the expense, if necessary, of the department store. What determination was reached may be inferred from the forming of the association.

You couldn't get a publisher to admit that the association intends to antagonize a single department store in a single city in the country. On the contrary, they say they are going to get the department stores to help them in the work the have undertaken. Just how they are going to do this they do not say and it's probable true that they do not yet know. As ome way, the regular retailers at the expense that they do not yet know. As fact, the publishers haven't got They have really only effected on and elected officers. A comhis been appointed to draft articles of on and when it is ready to report an-erting of the association will be held, ugh no plan for aiding the retailers under consideration by the association dy, the individual members are con-a scheme proposed by a man who has the publishing business over forty in New York. At present the plan is upon with much favor and it looks now as some shight modification of it, would othe slight modification of it, would by the association. Under this It before he was per-the book he would be

the trice stipulated by the size the stipulated trice it shen a figure as experience i field a fair profit to the redive business methods. This stated, would apply only to end after the plan is adopted. If it would be made to reguler of oid publications. When somed to a Sur reporter yester asked the man who expected such a scheme to be by the department stores.

not be a bad thing for publishers will continue

clation, it may be stated that the following were represented:

D. Appleton & Co., Bowen-Merrill Company of Indianapolis, Century Company, Henry T. Coates & Co. of Philadelphia, Thomas Y. Crowell & Co., Dodd, Mead & Co., Doubleday, Page & Co., Funk & Wagnalls, H. rper & Bros, Houghton, Miffilm & Co., John Lane, Lee & Shepard, Boston; the J. B. Lippincott Company of Philad lphia, Little, Brown & Co. of Boston, Longmans, Green & Co., McClure, Phillips & Co.; the Macmillan Company, Thomas Nelson & Sons, G. P. Putnam's Sons, James Pott & Co., Fleming H. Revell Company, R. H. Russell, Charles Scribner's Sons, Silver, Burdett & Co.; Mays, Maynard & Co. and Frederick A. Stokes & Co.

#### BURLINGTON TO GO TO ALASKA. Subsidiary Company Formed to Build a Railroad From Valdez Bay.

Members of the Engineering Bureau of the United States War Department report that the Chicago, Burlington and Quincy Railroad is ines, of railroad in Alaska. This project is attributed to the extensive copper deposits discovered in certain parts of that Territory. Artieles of incorporation bearing the signature of officers of the Burlington system were filed recently in Sterling, Col., for a company to be known as the Akron, Sterling and Northern Railroad. Subsequently these articles were mended, permitting the construction of a

amended, permitting the construction of a railway line from the head of Valdez Bay in Alaska to Keystone Canon, and thence through Dutch Valley to Thompson Pass.

Gen. Randall of the War Department is in charge of all railroad work in Alaska and it is expected that he will grant any reasonable privileges to the Chicago, Burlington and Quincy people. Valdez is believed to be the best starting point for a railroad into Alaska, hecause it opens up an easy route to the settlements in the North. The proposed railroad, it is thought, will follow the route roughly mapped out some time ago by Capt. Abercrombte of the United States Army. One branch of the Burlington's road, it is said, will stop at a point on the Tanana River, and the other branch will go to the Porcupine River district in the Upper Yukon mining region.

## TAKES AWAY THE GOOD SO DIERS Federal Government Depleting the National

HARRISBURG, Pa., July 28.-In his report of the inspections of the National Guard the Inspector of the Third Brigade, Major W. S.

Miliar, makes this comment: "As a general thing company commanders find great difficulty in recruting their commands to the maximum. One reason for this can be attributed to the Regular army and United States Marine Corps. Just when a Captain has recruited a full company and congratulates himse f on accomplishing the task, along comes a United States recruiting officer, and in less than a month has secured sufficient recruits from a National Guard company to utterly deplete that company. This is the case through-out the brigade. The National Guard is sup-plying the Regular army with its best men and it has become a serious drain on the several companies to the disco-ragement of the Cap-tain and harm to the National Guard."

# JACK JUSTIFIED HIS PURCHASE. A Terrier Bought After One Robbery Enabled

the Capture of a Second Thief. Burglars entered the house of Mrs. Mary McMeade, 272 Fifth street, Jersey City, on July 18, and stole jewelry valued at \$60. Determined not to be robbed again Mrs. McMeade bought a fox terrier the next day, paying \$25 for him. His name is Jack. At 4 o'clock yesterday morning J. c's barked furiously. The noise morning J.c's barked furiously. The noise awoke Mrs. McMeade. Peering out of a window she saw a man in the yard trying to force one of the kitchen windows. He desisted when Jack barked again and hid in the wood-hed. Mrs. McMeade ca led her brother, Newburn Farle, and then Policeman John De Clark, who was passing. The efficer and Earle went to the yard and the burglar escaped over the fence. They caught him after a chase of three blocks. He described himself as John Phalen, 25 years old, without a home.

# NEW STOCK EXCHANGE

Will Be No Skyscraper, It's Said, but a Buildis for the Exchange Alone.

As yet the plans for the new building of the New York Stock Exchange have not been made public. Some of the members of the exchange have thought that a skyscraping office building, which would no doubt prove a profitable financial investment, ought to be erected, but it is now settled that the new building will be devoted wholly to Stock Exbuilding will be devoted wholly to Stock Exchange purposes. It is not likely, so the report is, to be more than two or three stories high, and to some extent it will be patterned after the style of the New York Clearing House. In any event there will be plenty of light and air. The present board room is hot, dusty and dark. The other local exchanges—Produce, Cotton and Consolidated Stock—all have erected office buildings from the rents of the offices in which they draw good incomes.

### THE NEW YORK TO BE REPAIRED. Battleship Alabama to Be Docked at Brook-

lyn Before Her Trial Trip. The cruiser New York, the flagship of Rear Admiral Norman H. Farquhar of the North Atlantic Squadron, is soon to be detached from the squadron and sent to the Brooklyn Navy Yard for repairs. If Admiral Farquhar's wishes are consulted the cruiser will not be remodelled.
The new battleship Alabama is expected at
the Navy Yard from Cramps' shippard in Philad-lphia on Aug. 15 and within five days after
that will be put in trim for the trial trip off
Cape Ann. She will be put in dry dock No. 3
at the expense of the builders.

# FIVE IN A MANHOLE EXPLOSION. But One From Being Burned.

An explosion of gas in a sewer manhole occurred near 151 Spring street ye-terday while five men were at work in the manhole. Other men men were at work in the manhols. Other men at work on the surface pulled them out as quickly as po sible, but one of the five, Hugh Gallegher, of 433 West Sixteenth stre t was severely burned about the head and shoulders. It was thought that the explosion was caused by chemicals which the paper flower reautacturers in the district had allowed to flow into the sewer. Gallegher was taken to St. Vincent's Hospital.

#### Laudanum and a Stomach Pump Cure the Toethache.

John Wojcieschowski, 27 years old, of 187 Thirteenth street, Jersey City, while suffering with a severe toothache late Friday night was advised by a triend to try landanum as a cure. His friend gave him no instructions as to the use of the drug and he swallowed to cents' worth of it. A physician was called and the prompt use of a stomach pump saved Wejcieschowski's life. The treatment also cured his toothache.

# Edward E. Poor Seriously Ed.

Advices received in the financial district report that Edward E. Poor, former President of port that Edward E. Poor, former President of the National Park Bank, is seriou-ly ill at the Adeiphi Hotel, Liverpool, England, Mr. Poor sailed from this city for Europe on July 14. He was in poor health, and it is evident that he has grown worse. According to the cable advices his illness has reached an acute stage.

#### THEORANGEMENHADPEACE BOYNE WATER' IN FIFTH AVENUE AND SOUSA MARCHES IN EIGHTH.

Motto Was, "Heaven Help the Man Who Starts a Row"—Orders to Roll Up American Flags That Had Orange Mottoes on Them. About 2,000 Orangemen and 200 Orange

men paraded through this town yesterday afternoon to the fight-inspiring strains of "The Boyne Water," "Croppies Lie Down," and Protestant Boys." but not a brick was thrown. not a skull cracked. As a parade it was an eminent success, but it lacked the one great feature which has made the grand street demonstrations of Orangemen go down in history. This speaks well for the Irishmen who disagree religiously and politically with the Orangemen and also for the police, of whom there were some 1,500 in attendance with the marching column and along the route. Great discretion was also shown in the choice of the line of march, the paraders keeping well uptown and close to the kid-gloved centre of Manhattan Island.

The Sons of Limerick did not materialize It had been heralded far and near, especially among the Orangemen, that the Limerickers had decided to parade in spite of Chief Devery's refu-al to grant them a permit. The Sons of Limerick and the Loyal Orangemen of the world been trouble, but the developments threatened yesterday appear to have been a hoaz. On account of the rumors an extra number of reserves was ordered out by Chief Devery and a large squad of men was sent under Capt. Dean of the East Twenty-second street station to Twenty-sixth street and Second evenue, where it was said the Sons of Limerick were to assemble. Not a green-ribboned Irishman turned up, however, and there was peace along the whole line of the Orangemen's

The parade was in charge of Grand Marsha Danie Graham, who has had this job on his hands before. He was in the Orangeman's parade of 1871 when the green Irish got away from the police and there was a riot. Graham does not half mind this sort of a ruction. He has a jaw that confesses this. He had his cohorts assemble at Wendel's Hall in Forty fourth street between Eighth and Ninth avenues at 12 o'clock noon. Thence they were marched over to Thirty-ninth street and Madison avenue where the proce-sion was lined up to start. There was a goodly crowd of both orange and green Irishmen on hand to watch the preliminary whipping into shape. There was also a large bunch of blue-coated policemen who may have been orange or may hav been green. At any rate they were mostly Irish-if the human face can speak without making a noise. Among the spectators belligerently inclined was a fat, red-faced individual with a shamrock in his buttonhole and a large "Luk at that red-faced stuff on horseback,"

he remarked to a policeman who he thought was sympathetic in appearance. "Wud I leave anything in 'im if I hit 'im?" "Don't try it," said the policeman, "or you'll

git it back. "Fur hittin' an Orangeman?" "Yes or anybody else. Go lie down some

where an cool off. This sun's touched ver

fat man with a faint note of inquiry in his voice.

"Well then do it." said the copper forcibly roking the fat man in the chest so that he almost cack-heeled himself. This was sufficiently convincing and the trouble-maker subsided. Meantime the various lodges and the bands and the yellow-sashed horsemen and the Orange women in carriages with yellow ribbons and veilow waists were constantly coming. The band which was to lead the way hailed from Pennsylvania. It was called the National Band of Frankford, one of Philadelphla's sucurbs. Its leader had evidently been in these parades before, or he had been reading the papers about the the simultaneous parade of the Sons of Limerick. He wanted to get his bearings, for he was not familiar with the character of the inhabitants of New York's various streets.

"Where'd I better play, 'Boyne Water?" he asked a tall poleeman in the blevele squid.

"It hink Fifth avenue would be the best place to play that and the likes of it," was the reply. "It might go on Madison avenue, but when you get over to Eighth avenue be careat man with a faint note of inquiry in his voice.

you get over to Eighth avenue be carewhen you get over to Eighth avenue be careful."

The leader took the hint. When the procession moved off at 20°clock down Madision avenue he struck up "Sons of William" in honor of England's first Dutch King. In the van were a score of bicycle coppers and then a mounted squad of police followed by Inspector Thompson, who had charge of all the police arrangements. The Inspector was in a buggy and he was prepared for all emergencies. By his side rode a bicycle police man acting as an orderly. "There wont be any trouble," he said, before starting, "but, if there is, the Lord help those that start it."

starting, "but, if there is, the Lord help those that start it."
Behind the Inspector came the Grand Marshal and his staff and then the carriares containing the most distinguished of the Orange leaders, including William Johnson, M. P., of Ballykilber, County Down, and the 200 Orange women. Behind them were the rank and file with bands blowing and banners flying. At the head of many of the ledges were the flags of the United States and England side by side.

Along the sidewalk was a thin line of spectators standing on the curb, but following the procession, back of them, on both sides of the street, were everal hundred young men and boys mostly decorated with shamrocks and boys mostly decorated with shamrocks and green ribbons. Many of them were spoiling for fight but there was not much chance to start one and get away with it in that neighborhood and with those odds against them. They seemed to be trailing along to see if anything would turn up. On and on went the procession with here and there a cheer and the waving of an orange banner from the sidewalk; here and there a hiss. Twenty-ninth street was reached in safety. Across town the parade swung and up into Fifth avenue. At Twenty-eighth street the leader of the National Band remembered his tip and the strain of "Boyne Water" came forth upon the street. A few hisses spurted from the thin line of spectators but that was all. Encouraged by this safe reception the leader hit up "Croppies Lie Down," Past the Waldorf-Astoria and up into the Forties he tried on "Protestant Boys," but at the Democratic Club, whether by accident or design, he swung off into "Auld Lang Syne." The procession went on without any incident until it had turned across town through Fifty-seventh street to Eighth avenue. There the crowd was bigger and the interest more intense. At Fifty-second street a man with his derby hat profusely decorated with green tissue paper was held on top of a hydrant by two of his comrades while he shouted "Three cheers for Ireland."

"Tm a hare," he declared, swinging his hat in rest onse to the applause from the sidewalk that greeted his cheers. "I'm a harp and I'm proud of it. Of course I'm a hare, but even if I was an Orangeman I'm dammed if I'd carry an English flag while the English is murderin' the Dutch. Hurrah fur the Boers."

More cheers greeted this oration and the three boys mostly decorated with shamrocks and green ribbons. Many of them were spoding fo

English flag while the English is murderin' the Dutch. Hurrah fur the Boers."

More cheers greeted this oration and the three convivial friends locked arms and paraded along the sidewalk, keeping step with the band which it was now to be noticed was playing largely from Sousa's marches.

At life, thist street three young men, decorated with shamrocks and green ribbons, stepped off the sidewalk and dropped into the parading line right behind the array of carriages. The men behind them said nothing and the policemen along the sidewalk only grinned. "Ah, trims the boys," exclaimed an old woman as she saw them. These sentiments were held by the maicrity of the Eighth avenue contingent, but still there were plenty of women in the crowds with orange bows, and often from the windows above floated orange stream-

from the windows above floated orange streamers.

The procession turned west on Forty-fourth street, making for Wendel's Hall with the three men of the shamrock still in the line. But here was where they met their finish. As the Grand Marshal swung around in front of the hall to better ranage his forces in their breaking up he spied the green emblems on the three outsiders. Spurs went deep into his horse's sizes. He plunged toward a price sergeant.

"Put them men out," he roared. "Put 'em out of the line. Put 'em out." Instantly three policemen sprang forward. They seized upon the intenders and threw them up onto the sidewalk. The men grinned. So did the cops. It was so easy. The Grand Marshal was satisfied perforce and continued with his duties.

When the parade broke up the Orangemen started in to have a grand jollification. There was dancing all the rest of the day and evining in Wendel's place. The fact that they got a great relief ing in Wenders place. The fact that they got through without any trouble was a great relief to most of them. They had anticipated trouble. One man said the parade was smaller than it would have been but for the printing of the threat of the Sons of Limerick. None of the pole expected much to happen. "Trouble?" said one of the patrolmen.

of the police expected much to happen.
"Trouble?" said one of the patrolmen,
"There wasn't no trouble, and there wasn't
none expected. The crowd never turned out
to bother the Orangemen. They come out to
see the policemen. The policemen is what
the crowds e me out to see.

John T. Gibbs, who has a large livery
stable at Lexington avenue and Forty-third
street, received an order yesterday morning for
twenty-three often carriages to be
used in the parade. To it surprise, when
the time came to start Gibbs found that his
drivers, who were sturdy sons of the southern
part of the Emerald Isle, all went on a strike
and refused to handle the reins. Gibbs took
the trouble good-naturedly and secured other

drivers from various parts of the city who were not so particular as the others.

A man who described himself as Charles Roesler, plumber of 66 Prospect place called at the Sun office last night and said that he had made a complaint to the police yesterday, calling their attention to a provision of the law that prohibits the mutilation of the American flag. Mr. Roesler said that he noticed that among the American flags carried in the parade many bore inscriptions of different lodges across the American colors. This was a direct violation of the law he said, and he made up his mind to put a stop to it. He paid a visit to the Harlem police court for the purpose of securing warrants, he said, but the court was closed. Then he went to the East Fitty-first street police and complained to the sergeant on duty, saying he was a member of an American flag society and as such member it was his duty to protect the flag from mutilation. The sergeant said that any policeman would make an arrest of a law violator and advised Mr. Roesler to call the attention of policement to all such violations.

"I then went around to the corner of Thirty-fifth street and Madison avenue," said Roesler "and seeing Chief of Police Devery I called his attention to the matter. He said he would not stand by and see the American flag trampled upon, for would he stand for any violation, the flag that we minutes later when lodges appeared with two American flags bearing inscriptions Capt. Delaney walked into the roadway and told the men carrying the flags that he did not want to make trouble for them, but they were violating the law and would have to stop it. He advised the men carrying the flags to roll them up. They did as they were told. I walked down to the corner of Twenty-eighth street and there I called the attention of another police captain to the manner in which the law was violated. He loid me to mind the police captain to the manner in which the law was violated. He loid me to mind the police captain to the manner in which the law was v walked down to the corner of Twenty-eighth street and there I called the attention of another police captain to the manner in which the law was violated. He told me to mind my own business, and fearing that I might be arrested if I stopped to argue the matter with him. I passed on along the avenue. Further down I called the attention of two policemen to the violations and they told me to move on. There were policemen 1931 and 3111. It was their duty to interfere, but they didn't and from the threatening manner in which they eyed me and talked to me I knew that the best thing I could do was to move on. I had no more interest in the matter than any good American ought to have, that of protecting the flag of his country. It was my duty and I did it, irrespective of consequences."

# FISH FROM BERMUDA.

Aquarium Receives Another Lot, Including Saratoga Trunkfish.

The Aquarium received on Friday by the steamer Trinidad from Bermuda, the third of its importations for the present season of fish from that quarter. There is one more lot to come. The batch just received comprised 128 specimens including seventeen varieties. With those carried over from previous seasons and those thus far received this year the Aquarium now has the largest display of tropical fish that it has ever had. A glance along the gallery tier of tanks, on the salt water side, shows a brilliant and remarkably variegated

With this lot comes another octopus, this one measuring about three feet from tip to tip of its extended arms, about the same size as the one received here from Bermuda on July 13. which lived four days. That short period,

one received here from Bermuda on July 13, which lived four days. That short period, however, was twice as long as the Aquarium had ever been able to keep an octopus on exhibition before. The octopus is a difficult creature to transport and it is delicate in captivity. The specimen received on Friday last appeared at first even more feeble than its immediate predecessor in the octopus tank had been. It threw up an arm against the wall soon after it was put into the tank, but it showed next to no activity: aside for that extended arm it lay hunched up at the bottom of the tank, motioniess except for its respiration. But even so the octopus was a very striking object and one not very agreeable.

Later on Friday, however, it began moving about in its tank and developed a surprising degree of activity, becoming instead of one of the feeblest, apparently the strongest specimen of the octopus the Aquarium has yet had. Testerday it continued to show the same degree of strength and it seemed likely that it might be the longest-lived of any octopus that has been exhibited here. It moved about on the floor of its tank and climbed the walls, to which it would cling by means of the sucking disks on the under side of its arms, its spider-like body hanging down like a pouch. This is not a very big octopus as compared with the size to which the octopus grows, but it was yesterday a decided attraction. Sightseers crowded in front of its tank all day.

In Friday's lot there were two yellow coneys, called also in their local waters butterfish, on account of their color. If they should be called lemon fish anybody could pick them out anywhere by their color. The two specimens received are of striking beauty. The larger one is a fish of graceful form and about a foot in league.

where by their color. The two specimens received are of striking beauty. The larger one is a fish of graceful form and about a foot in length. It was entirely of a clear, bright, lemon yellow. The smaller one, also all yellow, was but little less striking in appearance. But the yellow coneys may not stay always yellow or all yellow; they have in a very remarkable degree and manner the power common in more or less measure to many fish of changing their color; becoming for instance, pink, or red, or maroon on the back, sometimes shading there still darker into deep chocolate, almost black.

There was in this lot the biggest trunkfish the Aquarium has ever had; a Saratoga trunkfish, the aquarium people said, and they were glad he had brought so much with him, and they hoped he would stay with them a long time. There were some fine big specimens of that odd-looking creature, the spiny lobster, including one with a coat darker-colored than common. Among the fishes there was one of a variety new here, a velvet coney, having a sort of mottled coloring, and besides this, and the yellow coneys, there are two dark coneys, and angel fish, four-eyes, surgeon fish, sergeant majors and other strange or brilliant varieties.

#### PRIZE MODEL TENEMENTA Award to B. Thomas Short, Architect, Whose

Plans Will Soon Be Built On. Through the Tenement House Committee of the New York Charity Organization Society a first prize award has just been made, as the result of a competitive submission of plans, to Mr. R. Thomas Short of the firm of Harde & Short. architects, for the best design of a model city

tenement. One hundred and seventy architects competed and 300 plans were submitted. Mr. Short's plans, somewhat modified, have been adopted by the City and Suburban Homes Company, of which Mr. Elgin R. L. Gould is President, for the com any's next group of tenements to be erected on the East Side. These tenements will be six stories high and no part of the buildings will exceed two rooms

from outside to outside, thus avoiding the

gloomy and unwholesome interior rooms so common in tenements, which, so far as suncommon in tenements, which, so far as sunlight is concerned, are little better than so
many dungeons. The entrance and staircase
halls will be fireproof—the staircase hall inclosed with brick walls and the floors of a 1 the
other halls made of some material that will not
burn. The stairways also will be fireproof and
of good width. The staircases are arranged so
as to secure cross-ventilation through them
from one court to another throughout the entire block. Only 70 per cent of the ground
surface is built upon, leaving 30 per cent, for
light and air, thus avoiding the necessity of
"light wells." The large centre courts are open
to the street, which insures a free circulation of
air at all times. These courts will be ornamented with grass plots, flower be is and fountains and will be available as playgrounds for
little children. Each room in the buildings will
be lighted by large windows opening directly
to the outer air. The buildings are divided by
unpierced brick walls into separate apartments,
each with a fifty-foot frontage. Each suite
of apartments, whether of two, three or four
rooms, will have a private hall with a
space in it for a refrigerator, as well
as shelves and hooks for coats, hats and
other articles. No rooms open directly
on the staircase halls. In the kitchen there
are gas ranges, sinks, stationary washtubs, suppiled with hot water from the cellar, and a large light is concerned, are little better than so many dungeons. The entrance and staircase are gas ranges, sinks, stationary washinbs, sup-plied with hot water from the cellar, and a large dresser with closets, drawers and shelves. The are gas ranges, sinks, stationary washings, supplied with hot water from the cellar, and a large dresser with closets, drawers and shelves. The bedrooms are large enough for two beds and each bedroom is reached from the living rooms and private halls without rassing through another te froom. There are dumb waiters running in freproof shafts from cellar to roof; speaking tubes from the cellar to each apartment; ventilated garbage store rooms in the cellars, and laundry and steamheated clothes-drying chambers. For the free use of the tenants bathinbs and showers, supplied with hot and cold water, are furnished. Baby carriage and bicycle storage rooms are on the first floor, and general storeroom, workshops and one storage room for each tenant are in the basement. There is a flushing system whereby the entire cellar may be flushed with water and thoroughly washed out at any time. The roof is flat, with parapets, and may be used as a roof garden. The rentals will average a dellar a week for each room.

# "I've Walked Tight Ropes Before," Said the Mate, When Warned of His Danger.

When Barnard Anderson, mate of the lighter Eagle, which is lying at Pier 32, North River, went down there yesterday the gangplank was drawn in and there was nothing on which to cross to the lighter but about six feet of thut cable. Barnard started to welk along it. "You'd better not try that," said the watch-

CASE AGAINST POWERS IN.

THE PROSECUTION IN THE GOEBEL MURDER TRIAL CLOSES. Wharton Golden Denies That He Had a Prom

ise of Immunity or of Money if He Would Betray His Fellow Conspirators—Says He GEORGETOWN Ky., July 28.-The prosecuion in the trial of Caleb Powers for the murder of William Goebel closed its testimony at 2:35 this afternoon The defence will open on Monday morning. Three weeks have already been consumed and it will take ten days or two weeks for the defence to conclude its testimony, so that the jury will hardly get the case before Aug. 18 or 20. The prosecution thinks a strong case has been made out, but the defence is confident of upsetting all the testimony as to Powers's association with the murder The cross-examination of Wharton Golden, who linked Gov. Taylor with the murder, was

resumed this morning. He said:
"After Tom Cromwell told me the evidence

Yes, like you were doing as Mr. Cammerer

"Yes, like you were doing as Mr. Cammerer at Big Stone Gap—"
Judge Cantrill interrupted and said:
"The attorneys must make their objections to the Court and not to each other."
"He was not addressing the Court," interrupted Sinclair, referring to Campbell.
"Mr. Clerk, fine Mr. Sinclair \$5," said the Judge.
"It is immaterial what the witness said about the editor, though I think he would have done about right if he had horsewhipped him."
"I wish to except to the language of the Court as to the horsewhipping," said ex-Governor Brown.
"Of course," said the Judge, "except all you want to."

want to."

The last witness was Robert Haslock, a gunsmith of Georgetown. He said that in the presence of witnesses he had exemined the bullet cut from the hackberry tree and that it bullet cut from the hackberry tree and that it was a 3s-caliber bullet, covered with a copper jacket, nickel plated on the outside, and not what is known as a regular steel bullet.

The attorneys for the prosecution consulted in the ante-room for a few minutes, and at 2:35 P. M., after thirteen days of testimony Mr. Franklin said:

P. M., after thirteen days of testimony Mr. Frankin said:
"Your Honor, the Commonwealth desires the jury to view the scene of the tragedy, and now rests its case."

The Judge said the jury would not be allowed to view the scene until all the testimony was in on both sides. The defence asked till Monday at noon to prepare themselves, but the Judge gave them till 9 o'clock on Monday morning.

#### COURT OF INQUIRY AT WEST POINT Inquiring Into the "Silence" That Was Given Lieut. Lindsey on Friday, July 20.

WEST POINT, July 28.-The "Silence" given Lieut, Julian R. Lindsey, Tenth Cavalry, by the Corps of Cadets on Friday of last week at supper in order to show their displeasure at his having reported several upper clasmen for annoying "plebs" will probably cost them considerable annoyance and perhaps severe punishment. The day following the "Silence" Col. Mills, the superintendent of

"Silence" Col. Mills, the superintendent of the academy, issued an order that he would hold the commandant of each table, of which there are twenty, responsible for the conduct of the men at their respective tables, and gave them twenty-four hours in which to submit a written explanation. Those explanations were not satisfactory.

On Tuesday a court of inquiry was ordered by Col. Mills. The members of the court are Col. Davis, professor of law at the academy, and Capt. Thompson of the tactical department and a stenographer. The court has been holding daily sessions in the Academic Building. Each cadet is being examined separately. As one cadet leaves the room another enters by an opposite door. All the cadet officers and cadet non-commissioned officers have been examined, but there is still considerable work for the court before all the cadets will be heard. Upon the report of the court will depend what punishment shall be imposed on the members of the corps for their disrespect to a superior officer. It is said that one of the commandants of a table in his written explanation said that he was so amazed that he could not act.

# SAYS SHE MARRIED WILSON TWICE

ried to Him at All. S. Lawson Wilson has obtained a decree from Justice Russell of the Supreme Court annulling his marriage to Jessie Lawson Wilson. She had married William F. Pickering when a young girl in 1880. They drifted apart and Wilson says she told him she had been divorced from Pickering Wilson married her in 1885. She had at different times resided here and in New Jersey and before times resided here and in New Jersey and before beginning the present suit H. B. Bradbury, counsel for Wilson, had the records of all the courts with divorce jurisdiction searched in both States before beginning the suit. No di-vorce was found. Pickering died in 1880.

Mrs. Wilson testified that she told Wilson ex-actly the circumstances of her marriage to Pickering and she denied telling him that she was divorced. She said he told her that he would take chances on Pickerina being divorced or dead and that she must marry him, or he would take chances on Pickering being divorced or dead and that she must marry him, or he would shoot himself. She thought much of Wilson and being moved by his threat she consented to the marriage. She had a tiff with Wilson in 1893 on which they separated and she made him enter upon a common law marriage with her at that time, as a condition precedent to her resuming relations with him. In giving Wilson a decree Justice Russell finds that her common law marriage with Wilson in 1893, as alleged, was not established.

Death of Heart Failure After a Sea Bath. PATCHOGUE, L. I., July 28. - Mrs. Anna M. Almquist of Chicago died suddenly last night ofter taking a both in the Great South Bay She was stopping with her daughter on Clifton avenue. After coming out of the water she complained of not feeling well, and a physician was called. He could do nothing to relieve her, and she died of heart failure. Mrs. Almquist was 57, years old. She had been travelling with her daughter since the death of her husband six years ago.

It is believed that exertion in vomiting salt water swallowed while in bathing overtaxed Mrs. Almquist's heart.

# to Buy Sugar Lands in Porto Rico

Thomas A. Alexandre, manager of the San Juan News, and son of Congressman Alexandre of A. arama, sailed yesterday for Porto R.co ab. ard the Ref D Line steamship Phila-delphia. He is going to invest in sugar lands for a syndicate of Southern capitalists. DADY SUES CUBA'S GOVERNOR.

Asks the United States Courts to Take Jurisdiction Over Havana's Local Affairs.

Col. Michael J. Dady, the Brooklyn conractor, brought suit yesterday in the United States Circuit Court here, through his lawyers, Pavey & Moore, 32 Nassau street, against Major-Gen. Leonard Wood, Governor General of Cuba, to restrain him from promulgating a new municipal code which Daly alleges Gen. Wood has had prepared for the city of Havana Dady alleges that in 1894 he prepared plans and specifications for the construction of pavements and a sewerage system for the city of Havana. His project was accepted by the Havana Common Council on Oct. 30, 1895, and matters then dragged along until April 10, 1897, when at the request of the Governor of Cuba Col. Dady presented a financial proposition providing a method of payment for proposed improvements by the issue of bonds instead of cash. The political changes which took place immediately thereafter put a stop to the further consideration of the proposition

The cross-examination of Whatton Golden, who linked Gov. Taylor with the murder, was resumed this morning. He said:

"After Tom Cromwell told met he evidence had against me I agreed to meet him, Bob Franklin and Col. Campbell in Cincinnati and all what I knew about the case. I was arriging to the it in Frankfort and so back to the State House, for I would have been killed. Cid. Campbell said if I would cell the truth about the case he would do all he could to keep me from being punished. I made no agreement, written or implied, with Col. Campbell and I was not promised anything if I would confess. I never sizing any statement and I have no agreement with the Commonwealth about not being prosecuted.

"I never told Stamper, my brother-in-law, that I was to get 28,200 or any other sum for testifying, nor did I tell him I had a written contract with Col. Campbell, nor say anything to him indicating that I was to get anything to him indicating that I was to

A blind woman led by a boy staggered into the Bedford avenue police station. Williamsburg, early yesterday, and begged Desk Sergeant Kieran to protect her from her husband. Her face was discolored and swollen and she could scarcely stand or speak.

"Olivia Fischer is my name," said the woman, "I guess you know me through my husband. Theodore, constantly beating me. He came out of jail only two weeks ago after serving time for beating me black and blue. While he was in jail I moved to 3st South Firststreet. He found out where I had gone after he was released. To-night, while I was asleep, he managed to get into my rooms. He dragged me out of bed and then kicked and punched me while I lay on the floor until I found myself fainting. When I came to I crawled out of my room and came here."

Policeman Martin was sent to the South First street house. He found Fischer in possession of the blind woman's rooms. Fischer attacked the policeman with a chair and Martin used his club. They rolled down a flight of stairs. Martin clubbed his prisoner and took him to the station. George Booth, a tenant in the house, went along. He told the police that when he heard Mrs. Fischer's cries for help he entered the rooms. Fischer attacked him with a file and jabbed the sharp point of it into his right arm.

with a file and jabbed the sharp point of it into his right arm.

Fischer was arraigned yesterday in the Lee avenue police court. Magistrate Lemon said to him: "Fischer, I see by your face that you've met your match. You received a good walloping and I don't think there is anybody who has the slightest sympathy for you."

Fischer was committed to jail for ten days for disorderly conduct. At the expiration of that time he will be tried for assaulting Booth. Mrs. Fischer then will prosecute her husband for beating her. Fischer is 45 years old. He is a sawmaker and married ten years ago. Through illness his wife became totally blind. Fischer often beat her after that and served terms in Raymond Street Jail and the Kings County Penitentiary.

#### County Penitentiary. MILITARY PROMOTIONS.

Changes in the Ninth, Twelfth and Seventy first Regiments- A New Staff Appointment. Company K, Twelfth Regiment, commanded by Capt. Myers, has elected Second Lieut. R. W. Butler First Lieutenant to fill the vacancy caused by the promotion of Lieut. Myers to the

Captainey. Second Lieut. Robert Neville Mackin of Company F. Ninth Regiment, and a veteran of the panish-American War, has been unanimously Spanish-American War, has been unanimously elected Captain to succeed W. W. Marks, who was placed on the retired list a short time ago. Capt Mackin first joined the Ninth in January, 1881, and after serving his term of enlistment, he took an honorable discharge in May, 1887, and then joined the Second Battery. After serving five years in the battery he again took an honorable discharge, and then rejoined the Ninth Regiment, being elected a Second Lieutenant of Company F on March 13, 1894. During the Spanish war he served as a First Lieutenant in the volunteer regiment. the volunteer regiment.

Mr. Carleton Greene, a nephew of Major-Gen.
Francis Vinton Greene, U. S. V., has been appointed a Battallon Adjutant in the Seventy-first Regiment by Col. W. G. Bates.

# SOME WOMEN SAFE FROM ARREST. Magistrate Pool Muses Over the Character of

Tenderloin Prisoners. "All good-looking," said Magistrate Pool yesterday, scrutinizing three young women who were arraigned before him in the Jefferson Market police court by Policeman Binning on charges of loitering in the streets. "What do you know about them?"

"Not much," replied Binning, looking uncomortable. "I never arrested any of them be-'Of course not." commented the Megistrate, "Of course not," commented the Magistrate,
"Your other five prisoners were all poorly
dressed and indifferent looking. You could
swear to the badness of their characters. But
whenever your prisoners are well dressed and
pretty, you know nothing. I shall, of course,
have to discharge these prisoners. But, policeman, for a change, arrest some of those loud
women that we never get a sight of down here."

#### CITY MUST GIVE BACK BYRAM WATERS. Permanently Enjoined From Directing Them to Its Water Supply.

Judge Shipman of the United States Circuit court has given to Samuel Pine and Frederick Moller a perpetual injunction to restrain the city from diverting the waters of the west branch of the Byram River from their natural branch of the Syram River from their natural course into an artificial channel leading into Kensico reservoir. Pine and Moller own farms upon the river in Connecticut below the pcInt at which the aqueduct connects with the river, and they say that they are detrived of their vater-surply. The city has until Nov. 1 to restere the river to its natural channel.

George Austen Wanted at Home in Elmira. Chief Devery yesterday received this telegram from Chi f of Police Cassada of Elmira: Would like you to locate George Austen. Did stop at Smith's Hotel No. 2. May be found on Bowery. His mother is dead. Sant him to s home to night. Any expense will settle. iome to night. Any expense will setue.

The Eldridge and Church street police were notified, and cetectives went to the Mills Hotel No. 2, which it was supposed, was meant by "Sauth's Hotel," but nothing was found of

# A Legal Decision of Interest to Taxpayers. The Appellate Division of the Supreme Court

Brooklyn, in a test case submitted, has decid d that under the New York Charter taxes do not become liens upon real estate until the specific amount of the tax's upon property has been extended upon the assessment rolls and the rolls and warrants for collection have been delivered to the Receiver of Taxes.

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# 60-62 West 23d St.

JURY TRIAL FOR EXCISE CASE.

Justice Bischoff Takes District Attorney Gardiner's View of It. The application of Corbin G. Stewart, a saloon keeper, arrested for alleged violation of

the Excise laws in selling liquor after hours, to have his trial transferred from Special Sessions to General Sessions has been granted by Justic : Bischoff of the Supreme Court. It was in this case that District Attorney Gardiner in person appeared as a friend of the Court and tated, while neither opposing nor favoring the

for the denial of the present application.

NO FIRE ALARMS IN FLUSHING NOW. Sexton Wilson Refuses to Ring St. George's

Charles Wilson, who for years has rung the bell in the tower of St. George's Episcopa Church, Flushing, for fire alarms, is on a strike, He has been sexton of St. George's Church for many years. For twenty-five years fire alarme in Flushing were sounded by him on the church bell. Now Mr. Wilson refuses to sound alarms for the city of New York, and it is all because of the city's failure to pay him what he claims is his just due. He says that he has received \$25 for sounding alarms for two and a half years, and he does not propose to touch the bell, even if the entire village is consumed by fire, until the city hands over \$40 more, which he says is due him.

Wilson has full charge of the church bell and he can ring it for fires or not, as he pleases. The church officials appreciate the long and faithful service Wilson has rendered the community, and will back him up in his determination not to ring the bell until he is paid what he feels is owing to him. of the city's failure to pay him what he claims

VILLAGE GIVES UP ITS CHARTER

Sag Harbor Will Be Re-incorporated Under the General Law. SAG HARBOR, L. I., July 28.-The property owners here voted yesterday by a majority of 58 to surrender the old village charter and reincorporate under the general law relating to villages. The village lies partly in the town of Easthampton and partly in the town of Southampton. The old charter, dating from seventy years ago, gave the village the rower of self-government indetendent of either town. The charter protected the place from taxes for roads and bridges outside of the village. Under roads and bridges outside of the village. Under the change the village will be assessed propor-tionately for the building of all new roads and other improvements in either town or both, and will be put to other expenses that will greatly increase the tax rate.

Mrs. Johnson's Diamonds in Question Now. Julia A. Haley, a cousin of the late Mrs. Mary Johnson, whose will left her estate of half a million dollars to charities, has filed a petition in the Surrogate's Court asking that the probate of the will be set aside. She says there was not sufficient evidence for probate and that the evidence established that Mrs. Johnson was of un-sound mind and unduly influenced to make the will.

A jury recently found before Justice Stover that the will was void for want of mental capacity and because of undue influence. It was said that the judyment entered on this verdict will affect only the real estate, of which the estate mainly consisted, but that the probate will be a state of the state mainly consisted, but that the probate will be state mainly consisted, but that the probate will be stated the state mainly consisted the state mainly consisted.

will stand as against the personalty, consisting largely of diamonds, unless the probate is set aside by the Surrogate.

Tri-State Fair Association Incorporated. The Tri-State Fair Association vesterday filed articles of incorporation with County Clerk Stack at Jersey City, with this list of officers, who are also incorporators: President, E. F. C. Young; Vice-Presidents, P. F. Wanser, Philip Hexamer and David Pell; Treasurer, Robert Davie; Secretary, James M. Reilly, General Superintendent, P. T. Powers. The association has leased the old Guttenberg racetrack and will open a fair there on Sept. 17, to be continued five days.

Boys Charged With a Washed Stamp Fraud. James Smith, a messerger boy of 98 Baltic treet, Brooklyn; John Doyle, of 57 Cheever street, Brooklyn, and John Polys, of 57 Cheever place, Brooklyn, and John Foley, alias Charles A. French, of 113 West Sixtieth street were ar-rested yearerd by morning on a charge of at-tempting to dispose of 899 worth of washed stamps to 1. Loob & Co., custom house brokers, at 15 and 17 William street. Magistrate Hogan, in the Centre street police court, remanded them to be qualit with by the Federal authorities.

# VIN MARIANI MARIANI WINE-WORLD FAXOUS TONIC

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